

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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INDIANAPOLIS, INDIANA 46204-2764

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IN THE MATTER OF THE PETITION OF PSI)
ENERGY, INC., PURSUANT TO THE)
COMMISSION'S MAY 18, 2004 ORDER IN)
CAUSE NO. 42359 AND IND. CODE § 8-1-2-42,)
FOR (1) REVISIONS TO PSI'S STANDARD)
CONTRACT RIDER NO. 70 TO ALLOW FOR)
RECOVERY OF POWERSHARE® PROGRAM)
COSTS YEAR-AROUND; (2) FOR)
AUTHORITY TO RECOVER VIA PSI'S)
RIDER NO. 70 CERTAIN COSTS)
ASSOCIATED WITH THE WHOLESALE)
POWER PURCHASES MADE BY)
PETITIONER TO MEET ITS RETAIL)
NATIVE LOAD PEAK REQUIREMENTS FOR)
SUMMER 2005; FOR AUTHORITY TO)
RECOVER VIA PSI'S RIDER NO. 70)
CERTAIN COSTS ASSOCIATED WITH ITS)
POWERSHARE® PROGRAM; FOR)
AUTHORITY TO SHARE OFF-SYSTEM)
SALES PROFITS VIA PSI'S RIDER NO. 70; (3))
AND FOR CONFIDENTIAL TREATMENT OF)
CERTAIN INFORMATION RELATING TO)
PETITIONER'S POWER PURCHASES AND)
OFF-SYSTEM SALES)

FILED

DEC 22 2005

**INDIANA UTILITY
REGULATORY COMMISSION**

CAUSE NO. 42870

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On December 20, 2005, PSI Energy, Inc. ("PSI") filed a *Motion for Protection of Confidential and Proprietary Information* ("Motion") in this Cause. In its Motion, the Petitioner indicates that certain information that it intends to submit in this matter, contains trade secrets ("Confidential Information") as that term is defined under Indiana Code 24-2-3-2. Information containing trade secrets is excepted from public disclosure under Indiana Code 5-14-3-4(a)(4). In support of its Motion, the Petitioner includes the sworn *Affidavit of Douglas F. Esamann* ("Affidavit"). The Affidavit has been placed in the Commission's official file in this matter and is hereby incorporated by reference.

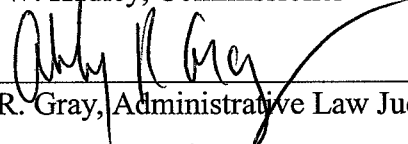
170 I.A.C. 1-1.1-4 governs the submission of confidential or privileged information to the Commission, and requires the applicant to apply for a finding by the Commission that the information is confidential. The application must be accompanied by the sworn statement or testimony of a party that describes: 1) the nature of the confidential information; 2) the reasons why the information should be treated as confidential pursuant to I.C. 8-1-2-29 and I.C. 5-14-3; and, 3) the efforts the party has made to maintain the confidentiality of the information.

The Presiding Officers, having considered Petitioner's Motion and accompanying Affidavit, finds there is sufficient basis for determination that the Confidential Information should be held as confidential by the Commission on a preliminary basis. Accordingly, Petitioner shall hand deliver the Confidential Information to the Presiding Administrative Law Judge. The Confidential Information should be on light green paper, in a sealed envelope clearly marked confidential with the Cause No. noted thereon, and will be treated as confidential on a preliminary basis and excepted from public disclosure in accordance with Indiana Code 5-14-3.

IT IS SO ORDERED.



David W. Hadley, Commissioner



Abby R. Gray, Administrative Law Judge

Dated: December 22, 2005